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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 MICAH KELLEY,
12 Petitioner,
13 vs.
14 ROBERT J. HERNANDEZ,
15 Warden,
16 Respondent.
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Case No. EDCV 08-1132-CAS (JWJ)

ORDER ADOPTING
REPORT AND
RECOMMENDATION OF
UNITED STATES
MAGISTRATE JUDGE

18 No amended petition has been filed and no objection has been made.
19 Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the Petition, all
20 of the records and files herein and the attached Report and Recommendation
21 of the United States Magistrate Judge, and has made a de novo determination
22 of the Report and Recommendation. The Court concurs with and adopts the
23 conclusions of the Magistrate Judge.

24 IT IS ORDERED that the Petition filed herein is **dismissed with**
25 **prejudice.**

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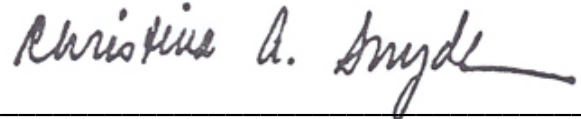
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1 IT IS FURTHER ORDERED that the Clerk shall serve forthwith a copy
2 of this Order, the Magistrate Judge's Report and Recommendation, and the
3 Judgment herein by the United States mail on petitioner.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

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6 DATED: December 2, 2008

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9 CHRISTINA A. SNYDER
10 United States District Judge
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